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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,616	08/29/2001	David A. Braun	10017258-1	5965

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EXAMINER

POPE, DARYL C

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 08/21/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/940,616

Applicant(s)

BRAUN

Examiner

DARYL C. POPE

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some\* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

Art Unit: 2632

### DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### **ART REJECTION:**

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-3,5-16, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lutes(5,673,016) in view of Mozer(5,657,380).**

-- In considering **claim 1**, the claimed subject matter that is met by Lutes includes:

1) the claimed user interface for entering a user code indicative of a visitor is met by the plurality of function buttons(20) which allow users to send coded sequences to the panel to cause different messages to be displayed(see: column 5, lines 34-40);

2) the claimed signal transmitter is met by the electronic signal transmission device of the central control unit(16) as seen in figure 7(see: column 6, lines 5-10).

**- Lutes does not show:**

1) the claimed logic circuit for identifying a visitor based on the user code.

Art Unit: 2632

Use of Logic circuits for controlling the various operations of a doorbell system are well known in the art. In related art, Mozer discloses an interactive door answering and message delivery system which utilizes a logic circuit in the form processor chip(34, column 5, lines 1-21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the chip(34) of Mozer into the circuitry of Lutes, because, although a logic circuit is not specifically shown by Lutes, some form of logic circuit means would have been necessary in the display(18) of Lutes, since specific messages would have been relayed to specific visitors based on the sequence of buttons pushed by the visitor, thereby causing a logical process to occur so as to determine specific messages to be displayed(see: column 5, lines 20-32). Therefore, incorporation of the chip of Mozer into the display of Lutes would have provided an adequate, compact, and inexpensive means for performing the desired functions of the device of Lutes.

-- **Claim 2** recites subject matter that was met as discussed in claim 1 above, as well as:

1) the claimed memory for storing the response signal is met by the RAM and ROM of the chip(34) of Mozer.

-- **Claim 3** recites subject matter that is met as discussed in claim 1 above, as well as:

1) the claimed user interface being a keypad is met by the function buttons which allow keystroke sequences to be performed.

-- **Claims 5-6** recites subject matter that is met as discussed in claim 1 above, except for:

1) the claimed microphone(claim 5);

Art Unit: 2632

2) the claimed signal transmitter being a speaker(claim 6).

Use of microphones for user interface means and speakers for signal transmitters for providing an audio signal is well known in the art. As discussed above, Mozer discloses a doorbell answering system, and as well, discloses a microphone being utilized as a user interface means for triggering specific messages to be generated by a doorbell system and a speaker being utilized as a signal transmitter for providing an audio signal as a response signal(see: Mozer, column 4, lines 54-57; column 5, lines 22-42). Furthermore, since Mozer allows a resident to customize queries to visitors(see: column 5, lines 38-42), it would have also been obvious that a visitor's voice would have been utilized as a code, at instances when the resident would have instructed the visitor to elicit specified responses to specified queries to receive specified messages.

Since Lutes already desires to detect the presence of visitors utilizing various means such as the buttons(20) and motion detector(26), it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate functions of the microphone, RAM, and speaker of Mozer into the system of Lutes, since this would have provided a more versatile means of distinguishing and filtering desired visitors for the user of the system.

-- **Claim 7** recites subject matter that was met as discussed in claim 1 above, as well as:

1) the claimed computer is met by the chip(34, Mozer, column 5, lines 1-21).

-- **Claim 8** recites subject matter that was met as discussed in claims 6-7 above.

Art Unit: 2632

-- **Claim 12** recites subject matter that was met as discussed in claim 6 above(see: function buttons(20), Lutes).

-- **Claim 13** recites a method that is met as discussed with reference to the discussion of the apparatus of claim 1 above.

-- In considering **claim 14**, although not specifically disclosed by Lutes, it would have been obvious that a user code would have been compared to a plurality of stored user codes, and as well, the identity of the visitor would have been determined from at least one stored code of the plurality of stored codes, since Lutes teaches the displaying of specific preprogrammed messages stored in the display panel, when specific codes are entered into the function buttons by visitors(see: column 5, lines 20-42), thereby necessitating a comparing and determining function by the panel in order to display the correct specified messages based on the received code.

As well, all other claimed subject matter is met as discussed in claim 13 above.

-- **Claim 15** recites subject matter that is met as discussed in claim 14 above, as well as:

1) the claimed interface being a keypad is met by the function buttons(20, column 5, lines 33-42).

-- **Claim 16** recites a method that was met as discussed with reference to the discussion of the apparatus of claim 5, and as well claim 14 above.

-- **Claim 18** recites a method that was met as discussed with reference to the discussion of the apparatus of claim 6, and as well claim 14 above.

Art Unit: 2632

-- In considering **claim 19**, upon incorporation of the microphone, RAM, and speaker of Mozer into the system of Lute for the reasons as discussed with regards to the apparatus of claims 5 and 6 above (and not herein repeated), it would also have been obvious that the plurality of alarm signals would have been transmitted dependent upon the number of times the user code would have been entered within a predetermined time frame, since the voice responses elicited by the visitor when prompted by the customized query would have constituted the user code, and therefore each specific answer to each specific query would have caused one of the plurality of stored messages to be announced (see: Mozer, column 5, lines 22 et seq; column 6, lines 1-16).

As well, all other claimed subject matter is met as discussed in claim 18 above.

-- **Claims 9-10**, and **20** recite subject matter that was met as discussed in claims 8 and 14 above, respectively, except for:

- 1) the claimed first communication device (claim 9);
- 2) the claimed communication device at a remote location allowing a home dweller and the visitor to be able to communicate (claims 10, 20).

- 3) the claimed transmitted response signal being a radio frequency signal (claims 9, 20);

Use of radio frequency signals received by remote communication devices in a doorbell system is well known in the art. In related art, Mozer discloses a doorbell system in which interior(32) and exterior(28) units communicate via RF link(20) to enable a visitor and a home dweller at a remote location to be able to communicate (see: column 4, lines 42 et seq).

Art Unit: 2632

Since Lutes already desires to allow a home dweller at a remote location to receive signals transmitted by an exterior unit, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the interior(32) and exterior(28) units including RF link(20) of Mozer into the system of Lutes, since RF communication is a well known, reliable, and inexpensive means for allowing wireless intercommunicating between remote separated units. Furthermore, substituting the interior(32) unit Mozer in place of the beeper(28) of Lutes would have improved the versatility of the beeper device of Lutes, since it would have allowed the home dweller the opportunity to better screen visitor by allowing intercommunication with the visitor as desired..

-- In considering **claim 11**, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a mobile telephone into the second communication device, since Mozer already teaches the interface(32) being a telephone interface which allows interaction via a telephone, and therefore utilizing a mobile telephone in the interface would have allowed the resident to be more versatile with their movements so as not to be restricted to one place in order to receive and/or communicate with visitors.

As well, all other claimed subject matter is met as discussed in claim 10 above.

**4. Claims 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lutes in view of Mozer as applied to claims 1 and 14 above, respectively, and further in view of Puchek et al(6,496,595).**

Art Unit: 2632

-- **Claims 4 and 17** recite subject matter that was met as discussed in claims 1 and 14 above, respectively, except for:

1) the claimed user interface being a camera, and the user code being image data captured by a camera.

User of cameras for capturing image data as a user code for determining authorization for a facility is well known in the art. In related art, Puchek et al(Puchek) discloses a biometric access apparatus which utilizes a biometric sensing device(56) incorporating a camera for capturing facial parameters in order to determine access control in an enclosed environment(see: column 6, lines 30-34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the biometric sensing device(56) including camera of Puchek into the system of Lutes in view of Mozer, since this would have tremendously enhanced the visitor recognition features of the system, thereby ensuring that appropriate messages would have been provided to each specific visitor due to the enhanced visitor recognition.

**REMARKS:**

***Response to Arguments***

5. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. Furthermore, this action has been provided due to the incompleteness of the previous office action mailed 1/27/03 and therefore no response to that

Art Unit: 2632

office action is necessary. As such, the applicant's period for responses has been restarted as of the mailing date of this office action.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

In related art, von Bauer et al(5,428,388) discloses a video doorbell system in which a camera is utilized at a doorbell so as to capture images of visitors that approach the door of the residence in which it is installed.

Lee et al(6,438,221) discloses a wall mounted messaging device wherein visitors can record messages to be relayed to residents of a dwelling.

Housley(5,774,039) discloses a programmable doorbell system including a speech controller which plays stored message to a visitor when a doorbell is actuated.

Lin(6,218,938) discloses an anti-burglar alarm doorbell in which different message are announced when in normal and alarm mode.

Chornenky et al(6,185,294) discloses a doorbell voice message apparatus in which a visitor can connect with a resident via a telephonic communicator connected to the doorbell system.

Segan(6,028,504) discloses a door chime in which different messages are annunciated each time a doorbell is activated.

Art Unit: 2632

Orloff et al(5,638,047) discloses a sound activated transmitter which transmits a wireless signal to a resident to alert of visitors when sounds are detected by the visitor.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 2021

or faxed to:

(703) 872-9314(for formal communications intended for entry)

and as well:

(703) 872-9314(for informal communications intended for entry)

“PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

**All interview requested, whether personal or telephonic, are to be scheduled for times during the examiner’s work hours between Tuesday-Thursdays. All other time periods requested will only be considered on an emergency basis.**


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daryl C. Pope whose telephone number is (703) 305-4838. The examiner can normally be reached on M-Th from 7:30 to 6:00 since the examiner works on a compressed work schedule in which every Friday is the examiner’s day off..

Art Unit: 2632

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (703) 308-6730. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Daryl C. Pope



**DARYL POPE**  
**PRIMARY EXAMINER**

August 10, 2003